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David H. Brinkman 1/26/06  
David H. Brinkman, Reg. No. 40,532 Date

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Marc Hamel et al.  
Patent No.: 6,426,047  
Issued: July 30, 2002  
Serial No.: 09/241,497  
Filed: February 1, 1999  
Title: **DISPOSABLE TIP MAGAZINE**  
Our Ref.: WHE-62772

Cincinnati, OH

January 26, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)  
AS A SMALL ENTITY (37 C.F.R. §1.28(c))**

Sir:

On February 1, 1999, a small entity assertion was filed in this patent.

This assertion of small entity status in this patent and the payment of fee(s) as a small entity were made in good faith. It has now been discovered that a

notification of loss of entitlement to small entity status pursuant to 37 C.F.R.

§1.27(g)(2) was inadvertently not filed prior to payment of the Issue Fee on

May 23, 2002. The Issue Fee was paid as small entity. The first Maintenance Fee was recently paid correctly as large entity.

02/01/2006 WABDEL3 00000009 09241497

01 FC:1501

1400.00 DP

Counsel is now taking the necessary steps to comply with the submission and itemization requirements of paragraphs (c)(1) and (c)(2) of C.F.R. §1.28, and the deficiency payment requirement of paragraph (c)(2).

| <u>Fee(s) Erroneously Paid<br/>As A Small Entity</u>                     | <u>Fee Actually<br/>Paid As A<br/>Small Entity</u> | <u>Deficiency<br/>Owed</u> |
|--|--|----------------------------|
| <input checked="" type="checkbox"/> The issue fee paid on <u>5/23/02</u> | <u>\$640.00</u>                                    | <u>\$760.00</u>            |

**Total Deficiency Owed \$760.00**

The total deficiency owed is paid as follows:

☒ Attached is a ☒ Check ☐ Money Order in the amount of \$760.00

☐ Authorization is hereby made to charge the amount of \$ \_\_\_\_\_

☐ to Deposit Account No. 23-3000.

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038

**Warning:** Credit card information should *not* be included on this form as it may become public.

☒ Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 23-3000.

A duplicate of this paper is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



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